

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JAMES H. GORBEY, JR., Administrator of)
the Estate of Marissa Rose Fishman,)
Deceased,)
Plaintiff,)
v.) Civil Action No. 05-211-KAJ
RICHARD LONGWILL, BARBARA)
LONGWILL, AIR BASE CARPET MART,)
INC., d/b/a Airbase Distributing, Inc. d/b/a)
Air Base Carpet Mart, AIR BASE)
DISTRIBUTING, INC., ASHLAND)
CONSTRUCTION COMPANY, INC.,)
JOSEPH RIZZO & SONS)
CONSTRUCTION, VINCENT RIZZO)
CONSTRUCTION CO., INC., d/b/a)
Ashland Construction Co., Inc., JOSEPH)
V. RIZZO, VINCENT RIZZO,)
Defendants.)

FIRST AMENDED SCHEDULING ORDER

At Wilmington, this 19th day of September, 2006,

IT IS HEREBY ORDERED that the court's June 27, 2005 Scheduling Order (D.I. 56) is amended as follows:

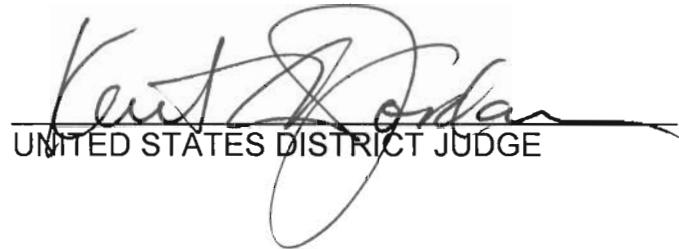
1. Pretrial Conference. On April 23, 2007, the Court will hold a Final Pretrial Conference in Chambers with counsel beginning at 4:30 p.m. Unless otherwise ordered by the Court, the parties should assume that filing the pretrial order satisfies the pretrial disclosure requirement of Federal Rule of Civil Procedure 26(a)(3). The parties shall file with the Court the joint proposed final pretrial order with the information required by the form of Final Pretrial Order which accompanies this Scheduling Order on or before March 23, 2007.

2. Motions in Limine. Motions *in limine* shall not be separately filed. All *in limine* requests and responses thereto shall be set forth in the proposed pretrial order. Each party shall be limited to five *in limine* requests, unless otherwise permitted by the Court. The *in limine* request and any response shall contain the authorities relied upon; each *in limine* request may be supported by a maximum of five pages of argument and may be opposed by a maximum of five pages of argument. If more than one party is supporting or opposing an *in limine* request, such support or opposition shall be combined in a single five (5) page submission, unless otherwise ordered by the Court. No separate briefing shall be submitted on *in limine* requests, unless otherwise permitted by the Court.

3. Jury Instructions, Voir Dire, and Special Verdict Forms. Where a case is to be tried to a jury, pursuant to Local Rules 47 and 51 the parties should file proposed voir dire, instructions to the jury, and special verdict forms and jury interrogatories three full business days before the final pretrial conference. That submission shall be accompanied by a computer diskette (in WordPerfect format) which contains the instructions, proposed voir dire, special verdict forms, and jury interrogatories.

4. Trial. This matter is scheduled for a 3 day jury trial beginning at 9:30 a.m. on May 23, 2007. For the purpose of completing pretrial preparations, counsel should plan on each side being allocated a total of seven hours to present their case.

All other deadlines set forth in the court's June 27, 2005 Scheduling Order (D.I. 56) shall remain in effect.



UNITED STATES DISTRICT JUDGE